

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
JOHN P MCDONOUGH &) Case No. 23-10355 JCM
CAROLYN C MCDONOUGH)
Debtor(s).) Chapter 13
X

ORDER OF COURT
(Check Boxes That Apply)

- ☒ Confirming Plan on Final Basis ☒ Chapter 13 Plan dated:
6-30-23
- ☐ Authorizing Distributions Under Plan ☐ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$3800** effective **7/23**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning . To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- **Golden 1 Credit Union CL.#4 with payments determined by Trustee.**
 - **Ford Motor Credit CL.#6**
- ☐ H. The secured claims of the following creditors shall govern as to claim amount,

to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☐ K. Additional Terms and Conditions:
 - **Plan is confirmed prior to the bar date therefore the Debtor(s) is/are responsible for reviewing all proofs of claims as filed and on or before 12-26-2023 to take such action as is necessary to address any claims not already provided for in Plan.**

**All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine

the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.L.B.R. 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

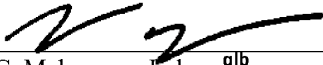
E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: August 10, 2023



John C. Melaragno, Judge ^{gib}
United States Bankruptcy Court

cc: All Parties in Interest to be served by Clerk

SIGNED
8/10/23 11:48 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
John P. McDonough
Carolyn C. McDonough
Debtors

Case No. 23-10355-JCM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Aug 10, 2023

User: auto
Form ID: pdf900

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Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ John P. McDonough, Carolyn C. McDonough, 923 Long Point Drive, Erie, PA 16505-5417
cr	+ Tendto Credit Union, 1915 East 36th Street, Erie, PA 16510-2663
15615366	Patelco Credit Union, Attn: Bankruptcy, Oo Box 2227, Pleasanton, CA 95344
15615368	+ Sacramento Ear Nose and Throat, 1111 Eposition Blvd Bldg 700, Sacramento, CA 95815-4314
15615369	+ Sutter Care at Home, PO Box 742687, Los Angeles, CA 90074-2687
15615375	+ Tendto Credit Union, 1129 State St, Erie, PA 16501-1911
15620539	+ Tendto Credit Union, c/o Carol F. Layton, Payment Solutions Manager, 1915 East 36th Street, Erie, PA 16510-2663

TOTAL: 7

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15615350	^ MEBN	Aug 10 2023 23:04:30	Allegheny Health Newtork, Attn: Bankruptcy, PO Box 645266, Pittsburgh, PA 15264-5250
15627037	Email/PDF: bncnotices@becket-lee.com	Aug 10 2023 23:09:54	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15615351	+ Email/PDF: bncnotices@becket-lee.com	Aug 10 2023 23:09:54	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15615352	+ Email/Text: banko@assetcollect.com	Aug 10 2023 23:05:00	Asset Recover Group, PO Box 14949, Portland, OR 97293-0949
15615353	+ Email/Text: creditcardbkcorrespondence@bofa.com	Aug 10 2023 23:05:00	Bank of America, Attn: Bankruptcy, 4909 Savarese Circle, Tampa, FL 33634-2413
15615354	+ Email/Text: BarclaysBankDelaware@tsico.com	Aug 10 2023 23:05:00	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
15615358	Email/Text: bankruptcies@ccf.org	Aug 10 2023 23:05:00	Cleveland Clinic, Attention: Bankruptcy, 9500 Euclid Ave, RK2-4, Cleveland, OH 44195
15615355	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Aug 10 2023 23:09:47	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15626897	Email/PDF: AIS.cocard.ebn@aisinfo.com	Aug 10 2023 23:09:50	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15615357	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 10 2023 23:09:48	Citi Card/Best Buy, Attn: Citicorp Cr Svcs Centralized Bankr, Po Box 790040, St Louis, MO 63179-0040
15615359	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Aug 10 2023 23:05:00	ComenityCapital/Boscov, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15615360	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 10 2023 23:09:48	Costco Citi Card, Attn: Bankruptcy, Po Box 6500, Sioux Falls, SD 57117-6500

District/off: 0315-1

User: auto

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15617395	Email/Text: mrdiscen@discover.com	Aug 10 2023 23:05:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15615361	+ Email/Text: mrdiscen@discover.com	Aug 10 2023 23:05:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15618268	Email/Text: collecadminbankruptcy@fnni.com	Aug 10 2023 23:05:00	First National Bank of Omaha, 1620 Dodge St Stop Code 3113, Omaha, NE 68197
15615362	Email/Text: collecadminbankruptcy@fnni.com	Aug 10 2023 23:05:00	Fnb Omaha, Attn: Bankruptcy, P.O. Box 3128, Omaha, NE 68103
15620568	Email/Text: EBNBKNOT@ford.com	Aug 10 2023 23:05:00	Ford Motor Credit Company LLC, PO Box 62180, Colorado Springs, CO 80962-2180
15615392	+ Email/Text: bankruptcy@golden1.com	Aug 10 2023 23:05:00	Golden 1 Credit Union, Attn: Bankruptcy, Po Box 15966, Sacramento, CA 95852-0966
15615363	+ Email/Text: bankruptcy@golden1.com	Aug 10 2023 23:05:00	Golden 1 Credit Union, P.O. Box 15966, Sacramento, CA 95852-0966
15615364	Email/Text: sbse.cio.bnc.mail@irs.gov	Aug 10 2023 23:05:00	Internal Revenue Service, PO Box 21125, Philadelphia, PA 19114
15615356	Email/PDF: ais.chase.ebn@aisinfo.com	Aug 10 2023 23:09:53	Chase Card Services, Attn: Bankruptcy, P.O. 15298, Wilmington, DE 19850
15624822	+ Email/Text: RASEBN@raslg.com	Aug 10 2023 23:05:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz, Schneid., Crane & Partners, PLLC, 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15626548	Email/PDF: resurgentbknofications@resurgent.com	Aug 10 2023 23:09:51	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15615365	+ Email/Text: EBNBKNOT@ford.com	Aug 10 2023 23:05:00	Lincoln Automotive Financial, Attn: Bankruptcy, Po Box 54200, Omaha, NE 68154-8000
15624912	+ Email/PDF: ebnotices@pnmac.com	Aug 10 2023 23:09:51	PENNYMAC LOAN SERVICES, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
15615367	+ Email/PDF: ebnotices@pnmac.com	Aug 10 2023 23:09:51	PennyMac Loan Services, LLC, Attn: Correspondence Unit, Po Box 514387, Los Angeles, CA 90051-4387
15615370	+ Email/PDF: gecsed@recoverycorp.com	Aug 10 2023 23:09:47	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615371	+ Email/PDF: gecsed@recoverycorp.com	Aug 10 2023 23:09:47	Synchrony Bank/HHGregg, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615372	+ Email/PDF: gecsed@recoverycorp.com	Aug 10 2023 23:09:47	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615373	+ Email/PDF: gecsed@recoverycorp.com	Aug 10 2023 23:09:50	Synchrony Bank/TJX, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15615374	+ Email/Text: bncmail@w-legal.com	Aug 10 2023 23:05:00	Target Nb, C/O Financial & Retail Services, Mailstop BT PO Box 9475, Minneapolis, MN 55440-9475
15615376	+ Email/Text: BankruptcyNotice@upmc.edu	Aug 10 2023 23:05:00	UPMC, 2 Hot Metal Street, Pittsburgh, PA 15203-2348

TOTAL: 32

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC
cr	*+	Golden 1 Credit Union, P.O. Box 15966, Sacramento, CA 95852-0966

District/off: 0315-1

User: auto

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15615379	*+	Allegheny Health Newtork, Attn: Bankruptcy, PO Box 645266, Pittsburgh, PA 15264-5250
15615380	*+	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15615381	*+	Asset Recover Group, PO Box 14949, Portland, OR 97293-0949
15615382	*+	Bank of America, Attn: Bankruptcy, 4909 Savarese Circle, Tampa, FL 33634-2413
15615383	*+	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
15615387	*P++	CLEVELAND CLINIC, 6801 BRECKSVILLE RD, INDEPENDENCE OH 44131-5058, address filed with court:, Cleveland Clinic, Attention: Bankruptcy, 9500 Euclid Ave, RK2-4, Cleveland, OH 44195
15615384	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15615386	*+	Citi Card/Best Buy, Attn: Citicorp Cr Srvs Centralized Bankr, Po Box 790040, St Louis, MO 63179-0040
15615388	*+	ComenityCapital/Boscov, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15615389	*+	Costco Citi Card, Attn: Bankruptcy, Po Box 6500, Sioux Falls, SD 57117-6500
15615390	*+	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15615391	*P++	FIRST NATIONAL BANK OF OMAHA, 1620 DODGE ST, STOP CODE 3113, OMAHA NE 68102-1593, address filed with court:, Fnb Omaha, Attn: Bankruptcy, P.O. Box 3128, Omaha, NE 68103
15615393	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court:, Internal Revenue Service, PO Box 21125, Philadelphia, PA 19114
15615385	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card Services, Attn: Bankruptcy, P.O. 15298, Wilmington, DE 19850
15615394	*+	Lincoln Automotive Financial, Attn: Bankruptcy, Po Box 54200, Omaha, NE 68154-8000
15615395	*	Patelco Credit Union, Attn: Bankruptcy, Oo Box 2227, Pleasanton, CA 95344
15615396	*+	PennyMac Loan Services, LLC, Attn: Correspondence Unit, Po Box 514387, Los Angeles, CA 90051-4387
15615397	*+	Sacramento Ear Nose and Throat, 1111 Eposition Blvd Bldg 700, Sacramento, CA 95815-4314
15615398	*+	Sutter Care at Home, PO Box 742687, Los Angeles, CA 90074-2687
15615399	*+	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615400	*+	Synchrony Bank/HHGregg, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615401	*+	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15615402	*+	Synchrony Bank/TJX, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15615403	*+	Target Nb, C/O Financial & Retail Services, Mailstop BT PO Box 9475, Minneapolis, MN 55440-9475
15615404	*+	Tendto Credit Union, 1129 State St, Erie, PA 16501-1911
15615405	*+	UPMC, 2 Hot Metal Street, Pittsburgh, PA 15203-2348

TOTAL: 1 Undeliverable, 27 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PENNYMAC LOAN SERVICES LLC bnicholas@kmlawgroup.com
Nicholas R. Pagliari	on behalf of Creditor Tendto Credit Union npagliari@mijb.com sburick@mijb.com
Office of the United States Trustee	ustpreregion03.pi.ecf@usdoj.gov
Rebeka Seelinger	on behalf of Joint Debtor Carolyn C. McDonough rebeka@seelingerlaw.com

District/off: 0315-1

User: auto

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Rebeka Seelinger

on behalf of Debtor John P. McDonough rebeka@seelingerlaw.com

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 6